

## **REMARKS / ARGUMENTS**

In complete response to the Office Action dated December 8, 2006, on the above identified application, reconsideration is respectfully requested. Claims 1-60 are pending in this application.

With this amendment, claims 35, 39-43, 53, 56, 58, and 60 are amended and claims 38, 55, and 59 are cancelled.

### **Claim Rejections Under 35 U.S.C. § 112:**

Claims 56-60 are rejected under 35, U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Due to the aforementioned claim amendments, the applications respectfully submit that this rejection deserves reconsideration.

### **Claim Rejections Under 35 U.S.C. § 102:**

Claims 35-47 and 53-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Cowles et al. Specifically, the Examiner notes that in the absence of any evidence that the Cowles reference was published on or after July 17, 2002 it is assumed that the Cowles publication was published more than one year from the effective filing date of the instant application, and therefore the publication qualifies as prior art under 35 USC 102(b).

In fact, the Applications respectfully submit that this publication is not prior art under 35 USC 102(b) as it was published on July 22, 2002, less than one year from the effective filing date of the instant application. The presentation was made on July 22, 2002 during the technical portions of San Francisco's Semicon West 2002.

The Examiner is directed toward the following website link which shows the agenda for that day's presentations and lists the Cowles presentation:

<http://www.micromagazine.com/archive/02/06/semitechprograms.html>

A hard copy of this website's information, with the Cowles presentation section highlighted on page 6, is also provided attached to this response.

As the Cowles presentation was published less than one year from the effective filing date of the instant application, the Applicants respectfully submit that the Cowles presentation is not prior art under 35 USC 102(b), and that therefore the basis for this rejection deserves reconsideration.

Claims 35, 37, 45, 47, and 53-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al. Due to the aforementioned claim amendments and cancellations, the Applicants respectfully contend that the basis for this rejection deserves reconsideration.

**Claim Rejections Under 35 U.S.C. § 103:**

Claims 36, 46, 53-54, 56-58, and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of the abstract from the article entitled "ICP Emission Spectroscopy Determination of Trace Amounts of Manganese...and Cobalt" from Fenxi Huaxue.

Due to the aforementioned claim amendments and cancellations, the Applicants respectfully contend that the basis for these rejections deserves reconsideration.

## CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,



---

Brandon S. Clark  
Registration No. 59,020

Date: **June 8, 2007**

Air Liquide  
2700 Post Oak Blvd., Suite 1800  
Houston, Texas 77056  
Phone: (713) 624-8787  
Fax: (713) 624-8950